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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

James B. Panther,

Defendant.

NO. CR-19-00448-PHX-DLR-2

**UNOPPOSED MOTION TO
DESIGNATE CASE AS COMPLEX,
CONTINUE THE TRIAL DATE AND
SET A STATUS CONFERENCE**

Defendant, through undersigned counsel of record, respectfully moves this Court, pursuant to Local Criminal Rule 16.2, to designate this matter a “complex case” within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii). Defendant additionally moves the Court to continue the current trial date and set a status conference within 21 days of the complex case designation to determine a schedule for motions, discovery, and other pre-trial case management issues. The government does not oppose this motion.

Excludable delay under 18 U.S.C. § 3161(h)(7)(B)(ii) will occur as a result of this motion or an order based thereon.

MEMORANDUM

On April 23, 2019, the government obtained an eight-count indictment including conspiracy, securities fraud, and money laundering. Mr. Panther is currently released with conditions.

This case is sufficiently “complex” or “unusual” to justify a complex case designation. This case concerns a multi-defendant securities conspiracy with underlying

1 allegations that span multiple districts and international activity. Discovery is extensive
2 and ongoing, and it is anticipated that the forthcoming materials will be voluminous
3 covering several years of activities, such that substantial time is needed for the effective
4 preparation of a defense and to prepare for trial.

5 Mr. Panther respectfully requests that the Court designate this case as complex for
6 purposes of the Speedy Trial Act and Local Criminal Rule 16.4, continue the current trial
7 date, and set a status conference within 21 days of the complex case designation to
8 determine a schedule for motions, discovery, and other pre-trial case management issues.
9 This will allow the Court to establish a consolidated schedule for discovery and motions,
10 which will maximize the efficiency and effectiveness of the process, and permit the
11 resolution of anticipated trial management issues such as a potential severance of counts
12 or parties.

13 Tracee Plowell, Assistant Chief of the Fraud Section for the United States
14 Department of Justice, has authorized the undersigned to convey to the Court that she has
15 no objection to the instant requests.

16 It is expected that excludable delay under 18 U.S.C. § 3161(h)(7) will occur as a
17 result of the Court's granting of this request or an Order based thereon.

18 RESPECTFULLY SUBMITTED this 21st day of October, 2019.

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20 BALLARD SPAHR LLP

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22 By: /s/ Mark Kokanovich

23 Mark Kokanovich

24 Dennis K. Burke

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26 Phoenix, AZ 85004-2555

27 Attorneys for Defendant James B. Panther
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CERTIFICATE OF SERVICE

I certify that on the 21st day of October, 2019, I electronically transmitted a PDF version of this document to the Office of the Clerk of the Court, using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants listed for this matter.

By: /s/ Sarah Gennett

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